

PROCEEDINGS OF THE HISTORIC CONSERVATION BOARD

MONDAY, SEPTEMBER 25, 2006

3:00 P.M., J. MARTIN GRIESEL ROOM, CENTENNIAL PLAZA II

The Historic Conservation Board met at 3:08 P.M., in the J. Martin Griesel Room, Centennial Plaza II, with members Senhauser, Chatterjee, Raser, Sullebarger, Kreider, Spraul-Schmidt, Bloomfield, and Wallace present.

MINUTES

The Historic Conservation Board unanimously approved the minutes of August 28, 2006 and August 14, 2006 meetings (motion by Bloomfield, second by Sullebarger).

CERTIFICATE OF APPROPRIATENESS, 211 WEST NINTH STREET, NINTH STREET HISTORIC DISTRICT

Staff member Caroline Kellam presented a report on the proposed rehabilitation of 211 West Ninth Street. The building has a total of four floors and includes two apartments on the second floor and the owner's residence on the third and fourth. The first floor would contain a garage and office space.

211 West Ninth Street is situated on the south side of Ninth Street at the corner of Goshen Alley. The building has always been mixed-use with commercial on the first floor and apartments above. The original storefront was lost when the first floor was used as residential; the present storefront was installed in the 1980's. The commercial space has been very difficult to lease and has been vacant for several years.

The building owner Chris Gibbons proposes to convert the first floor front into a garage to serve his residence above. There are no other possible locations on the property to locate a garage or parking pad. The first floor storefront and one door opening would be removed and a garage door would be installed in the opening. Two alternate garage door designs are offered; the Board favored the simple design without the vertical stripe. The only other exterior change is the construction of balconies on the alley elevation; window openings would be converted to doors to access to the new balconies.

Ms. Kellam stated the proposed alterations do not meet the guidelines for the historic district. The guidelines state that original openings should not be altered. Although the storefront is not original, staff is uncomfortable with the garage alterations. However, in order to successfully convert existing buildings to residential use and encourage new homeownership, first floor garages are becoming a necessity. Ms. Kellam reminded the Board of its 2002 decision to allow the removal of two original storefronts at 235-237 West Court Street to accommodate garage doors. The new balconies would replace fire escapes and would not be visible from the street.

In response to Ms. Sullebarger, Mr. Forwood stated the alterations to 235-237 West Court Street were more radical; original storefronts were lost and the new garage door openings required modification to the openings and transoms as well.

Tom Hefley, project architect, and Chris Gibbons were present to answer questions from the Board. In response to Mr. Raser, Mr. Hefley stated that the present pedestrian door opening and glass transom would not be altered. He acknowledged that a new curb cut would be required, but that any required ramping would be within the building. In response to Ms. Wallace, Mr. Hefley said that only one apartment is presently occupied.

Ms. Sullebarger said that although she respects and admires Mr. Gibbons and Mr. Hefley for all they have done for preservation downtown, she felt the Board should not endorse garage doors in

place of storefronts downtown. The Board should promote transparency and retail use of storefronts. She made a motion to deny the application for the installation of the garage door and approving the construction of the rear balconies. There was no second.

Mr. Kreider stated he could support the proposed change since the storefront is not original and because the garage door modification could easily be reversed if market circumstances ever warranted converting it back to retail use. He emphasized that the 2002 decision on 235-237 West Court Street is not a precedent for this or any other project since each situation is evaluated on case-by-case basis.

Mr. Senhauser stated although the 2002 decision created new residential space, but it was disappointing because it did not improve the streetscape. He said garage doors are not a good design element in any district and create a lifeless façade. He stated he is not opposed to the proposal, but felt it should not set a precedent.

BOARD ACTION

The Board voted 7 – 1 (motion by Kreider, second by Bloomfield; Sullebarger opposed) to approve a Certificate of Appropriateness for the installation of a new garage door and the construction of balconies on the rear of 211 West Ninth Street per plans submitted, dated August 5 and September 12, 2006.

CERTIFICATE OF APPROPRIATENESS & ZONING VARIANCES, 1761 SYCAMORE STREET, OVER-THE-RHINE HISTORIC DISTRICT

Staff member Caroline Kellam presented a report on the proposed extension of an existing 6' high wood privacy fence around the entire property at the corner of Sycamore and Seitz Streets and permission to retain an existing loose gravel parking pad in the front yard. She stated that the developer, John Colter, had previously appeared before the Board to secure a COA for the renovation of the property and zoning variances to permit its subdivision into two joined residences. However, both the parking pad and fence were installed without a COA and without required variances.

When Veronique Van Acker purchased 1761 Sycamore earlier this year, the 6' high wood privacy fence had already been installed without a Certificate of Appropriateness or building permit. She would now like to extend the fence along Sycamore, Seitz and the rear property line to fully enclose the site. A rear patio would be added. The loose gravel parking pad on Sycamore Street would remain unchanged. Zoning variances would be required for both the fence and parking pad.

The applicant is requesting four variances for this project. The fence would require a variance for its six-foot height and another for its opacity. A variance would be required to allow parking in the front yard and a second for its gravel surface.

Ms. Kellam stated that staff does not recommend front yard parking, when it could be located on Seitz Street as Mr. Colter had previously represented to the Board. She recommended approving a gravel surface to offset the cost of correcting the situation. She said staff also recommends allowing the fence to be extended around the property to provide greater privacy on this busy corner and the additional security desired by the owner.

Mr. Bloomfield stated he felt a more detailed plan is needed to provide the Board with the information necessary to appropriately evaluate the proposal. He said there could be other options that would not require numerous variances and would still meet the privacy and security goals of the applicant. He made several suggestions and recommended tabling the proposal to allow the applicant additional time to investigate alternative plans.

The Board generally agreed that there were other possible solutions to the parking and fencing issues that would more in keeping with the Historic District Guidelines and zoning code. Relief from the requirements of the Zoning Code had not been demonstrated, especially for the gravel parking pad.

Matthew Bytel, fiancé of the owner was present to address the Board. He stated that if the parking pad was moved to Seitz Street it would require a curb cut and necessitate the removal of two trees. If cars were parked in the Seitz Street location, they would be farther from the home and on a dark side street. Mr. Bytel said that privacy and security are primary and that the side yard is a depository for debris and drug paraphernalia. He said he felt only a solid fence would provide an adequate solution.

Mr. Senhauser responded that a solid fence would not prevent trash from being thrown into the yard. Mr. Raser said that a solid fence might be less secure than one that would make intruders visible from the street. Mr. Bloomfield suggested that a less opaque fence set back from the property line and screened with planting at the street would better meet the guidelines and conform to the Zoning Code. Mr. Senhauser suggested that the new patio could be integrated with a parking pad on Seitz Street, but that a complete and more detailed site plan was needed.

BOARD ACTION

The Board voted unanimously (motion by Bloomfield, second by Wallace) to table the proposal to allow the applicant additional time to investigate alternative schemes and to develop a more detailed site plan that would more fully meet the Historic Guidelines and require fewer zoning variances.

ADJOURN

As there were no other items for consideration by the Board, the meeting adjourned.

William L. Forwood
Urban Conservator

John C. Senhauser
Chairman

Date: _____